



W.P.(MD)No.641 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.641 of 2025

K.Mohanraj

... Petitioner

/Vs./

1.District Registrar,
Office of the Registration Department,
Thanthonrimalai, Karur District.

2.The Sub-Registrar,
Tharagampatty Sub-Registrar Office,
Kadavur Taluk, Karur District.

3.S.Raghupathy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to register the sale deeds in pursuance of Sale agreements executed by the petitioner prior to revocation of power of attorney dated 26.12.2024 by the third respondent.



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For Petitioner : Mr.N.Sundaresan
For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed for a direction directing the second respondent to register the sale deed in pursuant to the agreement of sale by the petitioner prior to rectification of power of attorney dated 26.12.2024 by the third respondent.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner was given power by the third respondent dated 23.11.2023 to deal with the properties owned by the third respondent. In pursuant to the power of attorney, the petitioner had executed the agreement of sale in favour of the third party. While being so,



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subsequently the power was cancelled by the third respondent.

Therefore, the petitioner could not able to execute the sale deed.

5. The learned counsel appearing for the petitioner would submit that once the part of the exercise already done by the petitioner. As per the Power of attorney, he has entitled to complete the entire exercise. He also relied upon the Section 204 of the Indian Contract Act. It shows that the principal cannot revoke the authority given to his agent after the authority has been partly exercised, so far as regards such acts and obligations as arise from the acts already done in the agency.

6. It is seen that admittedly, the petitioner had executed the sale agreement and got registered. After execution of agreement of sale, the power of attorney was cancelled by the principal. No title has been conveyed through the agreement of sale to the third party in respect of the subject property. Therefore, it cannot be said that the petitioner already completed part of the exercise in order to invoke the provision under Section 204 of the Contract Act. Therefore, direction sought for by the cannot be considered and it is liable to be dismissed.



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7. Accordingly, the writ petition is dismissed with liberty to the petitioner to approach the Civil Court in the manner known to law, if so advised. No costs.

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Index : Yes / No
NCC : Yes / No
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To

1.District Registrar,
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Thanthonrimalai, Karur District.

2.The Sub-Registrar,
Tharagampatty Sub-Registrar Office,
Kadavur Taluk, Karur District.



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G.K.ILANTHIRAIYAN, J.

am

Order made in
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